

1 KING, HOLMES, PATERNO & SORIANO, LLP
2 HOWARD E. KING, ESQ., STATE BAR NO. 077012
3 HKING@KHPSLAW.COM
4 MATTHEW J. CAVE, ESQ., STATE BAR NO. 280704
5 MCAVE@KHPSLAW.COM
6 1900 AVENUE OF THE STARS, 25TH FLOOR
7 LOS ANGELES, CALIFORNIA 90067-4506
8 TELEPHONE: (310) 282-8989
9 FACSIMILE: (310) 282-8903

10 Attorneys for Defendants and Counterclaimants
11 XX GLOBAL, INC. and JACQUES WEBSTER

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

PJAM LLC,
Plaintiff,
vs.
XX GLOBAL, INC., JAQUES
WEBSTER, and DOES 1-20, inclusive,
Defendants.

CASE NO.: 2:18-cv-03192 JFW
(MRWx)

Hon. John F. Walter

**DECLARATION OF MATTHEW
CAVE IN SUPPORT OF JOINT
MOTION IN LIMINE NO. 1:
MOTION OF DEFENDANTS AND
COUNTERCLAIMANTS XX
GLOBAL, INC. AND JACQUES
WEBSTER TO EXCLUDE
TESTIMONY OF PLAINTIFF'S
EXPERT ALEX MARTINI**

XX GLOBAL, INC. and JACQUES
WEBSTER,

Hearing Date: April 5, 2019
Hearing Time: 10 a.m.

Counterclaimants,

Pre-Trial Conf.: March 29, 2019
Trial Date: April 9, 2019

vs.

Action Commenced: March 20, 2018

PJAM LLC, JEFFERSON AGAR,
ALEX MARTINI, PATRICK
JOHNSTON, and ROES 1 through 10,
inclusive,

Counterclaim Defendants.

1 I, Matthew Cave, declare:

2 1. I am an attorney duly admitted to practice before this Court. I am an
 3 associate with King, Holmes, Paterno & Soriano, LLP, attorneys for Defendants and
 4 Counterclaimants XX Global, Inc. and Jacques Webster (together, "Defendants") in
 5 the above-entitled action. I submit this declaration in support of Joint Motion in
 6 Limine No. 1: Motion of Defendants and Counterclaimants XX Global, Inc. and
 7 Jacques Webster to Exclude the Testimony of Plaintiff's Expert Alex Martini. I
 8 have personal knowledge of the matters set forth below and would testify
 9 competently to them if asked.

10 2. Attached hereto as **Exhibit 1** is a true and correct copy of the Expert
 11 Report of Alex Martini, produced by Plaintiff in this action on February 5, 2019 (the
 12 "Initial Report").

13 3. After I met and conferred with Plaintiff's counsel, Stephen Tomasulo,
 14 regarding the insufficiency of Mr. Martini's Initial Report, Plaintiff agreed that Mr.
 15 Martini would promptly produce an amended expert report.

16 4. Attached hereto as **Exhibit 2** is a true and correct copy of the amended
 17 Expert Report of Alex Martini, produced by Plaintiff in this action on February 19,
 18 2019 (the "Amended Report").

19 5. My colleague and co-counsel, Howard King, took Mr. Martini's
 20 deposition in our offices on March 5, 2019. I attended the deposition. Attached
 21 hereto as **Exhibit 3** is a true and correct copy of the rough deposition transcript,
 22 which I received directly from the reporter at TSG Reporting. Defendants will

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1 submit to the Court a final version of the deposition transcript as soon as it becomes
2 available.

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4 I declare under penalty of perjury under the laws of the United States of
5 America that the foregoing is true and correct.

6 Executed March 14, 2019, at Los Angeles, California.

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Matthew Cave

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